HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: **HON'BLE SHRI JAGDISH BHALLA, Ag. CJ. &**
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.

Writ Appeal No. 126 of 2007

APPELLANT
Respondent no.3 : Gram Panchayat Mohada Through – Its Sarpanch Manharan Singh Markam S/o Shri Rai Singh, Aged – about 48 years R/o village – Mohada, Tahsil-Kota, District – Bilaspur (C.G.)

VERSUS

RESPONDENTS :

1. The State of Chhattisgarh Through – The Secretary, Department of Panchayat, Mantralaya, D.K.S. Building, Raipur (C.G.)
2. Chief Executive Officer, Janpad Panchayat Kota, District-Bilaspur (C.G.)

Petitioner

3. Ashok Kumar Raj S/o Late Shri Dasolal Raj aged about 37 years, R/o Vill-Donasagar, Gram Panchayat Mohada, Tahsil-Kota, Distt.-Bilaspur (C.G.)

Writ appeal under Section 2(1) of the Chhattisgarh High Court (appeal to Division Bench) Act, 2006

Present : Shri Sanjay Patel, counsel for the appellant.
Shri V.V.S. Murthy, Deputy Advocate General for the State.

ORAL ORDER
(Passed on 27th June, 2007)

The following oral order of the Court was passed by **Jagdish Bhalla, Ag. C.J.**

This writ appeal is directed against the judgment passed by Hon'ble Single Judge dated 09-04-2007 whereby the termination order of the writ petitioner was quashed with a direction to pay 30% of the back-wages.

Learned counsel for the appellant / respondent No. 3 submits that the back-wages cannot be paid for the reason that there is no such pleading in the petition by the writ petitioner. No other argument has been advanced by learned counsel for the appellant. Once the termination order is found to be

against the law and was quashed, payment of salary, back-wages is nothing but consequential benefits which has followed quashing of the termination.

We have perused the judgment passed by Hon'ble Single Judge. We are in agreement with the judgment passed by Hon'ble Single Judge. We do not find any ground to interfere with the judgment passed by Hon'ble Single Judge. Accordingly, the writ appeal is dismissed.

Sd/-
Ag. Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

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